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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/956,994	09/21/2001	Mutsumi Kimura	110423	2948

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EXAMINER

LEWIS, DAVID LEE

ART UNIT PAPER NUMBER

2673

DATE MAILED: 06/24/2004

12/

Please find below and/or attached an Office communication concerning this application or proceeding.

4

# Office Action Summary

Application No.

09/956,994

Applicant(s)

KIMURA, MUTSUMI

Examiner

David L Lewis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 12 and 13.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. **Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamazaki et al. (5349366).**
2. **As in claim 1, 9, 10, 12, 15, and 16, Yamazaki et al. teaches of a driving method for an electro-optical device which includes, corresponding to an intersection of a scanning line, **figure 1A item Vg**, and a data line, **figure 1A item Vd**, an electro optical element, **figure 1A item LC**, a driving transistor that drives the electro-optical element, **figure 1A item Tr2**, and a switching transistor that controls the driving transistor, **figure 1A item Tr1**, the driving method comprising: a setting step of supplying a first on-signal to switching transistor via the scanning line, **figure 1B item Vg (t0)**, and of supplying a set signal to select a conducting state or non-conducting state of the driving transistor to the driving transistor via the data line and the switching transistor in accordance with a period for which**

the first on-signal is supplied, **figure 1B item Vd (t0)**; and a resetting step of supplying a second on-signal to the switching transistor via the scanning line, **figure 1B item Vg (t2)**, and of supplying a reset signal to select the non-conducting state of the driving transistor to the driving transistor via the data line and the switching transistor in accordance with a period for which the second on-signal is supplied, **figure 1B item Vd (t2)**, wherein the signal to reset the driving transistor is supplied through the switching transistor within a vertical scanning period, **figure 1B item Vd (t0-t1, t1-t2, t2-t3)**.

3. **As in claims 2 and 3**, Yamazaki et al. teaches of, further including a horizontal scanning period that includes a first sub horizontal scanning period to perform the setting step, **figure 1B item Vd (t0-t0.5)**, and a second sub horizontal scanning period to perform the resetting step, **figure 1B item Vd (t0.5-t1)**. **As in claim 7**, Yamazaki et al. teaches of, further including providing the set signal to be a signal for setting the conducting state for the driving transistor rather than the signal for selecting the conducting state or the non-conducting state of the driving transistor, **figure 1B item Vg (t1-t2)**. **As in claim 8, 13, and 14**, Yamazaki et al. teaches of, further including driving the electro-optical element including an organic electroluminescence element, **figure 1A item LC**. **As in claim 4, 5, and 6**, Yamazaki et al. teaches of wherein, further including obtaining a gray-scale by performing a plurality of set-reset

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operations, each set-reset operation including the setting step and the resetting step, column 16 lines 35-67, figure 6A, wherein said gradation is performed according to said method of claim 1.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-16 filed on 10/2/2003 have been considered but are moot in view of the new non-final ground(s) of rejection. See the new rejection over Yamazaki et al.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. 6583576, 6225750, 6528950.
6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory

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period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David L. Lewis whose telephone number is (703) 306-3026. The examiner can normally be reached on MT and TUE from 8 to 5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala, can be reached on (703) 305-4938. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to

Crystal Park 11, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

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BIPIN SHALWALA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600